

Administration to submit certain reports.

BY repealing and reenacting, with amendments,

Article - Insurance

Section 15-909

Annotated Code of Maryland

(1997 Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Insurance

15-909.

(a) This section does not extend the number of days of hospitalization offered under § 15-906(a)(3) of this subtitle to the extent those days of hospitalization have been used under the original Medicare supplement policy.

(b) (1) If an application for a Medicare supplement policy or certificate is submitted during the 6-month period beginning with the first month in which an individual who is at least 65 years old ~~OR WHO IS UNDER THE AGE OF 65 YEARS, BUT IS ELIGIBLE FOR MEDICARE DUE TO A DISABILITY~~, first enrolls for benefits under Medicare Part B, a carrier:

(i) may not deny or condition the issuance or effectiveness of the Medicare supplement policy or certificate or discriminate in the pricing of the Medicare supplement policy or certificate because of the health status, claims experience, receipt of health care, or medical condition of the applicant; or

(ii) may not deny, reduce, or condition coverage or apply an increased premium rating to an applicant for a Medicare supplement policy because of the health status, claims experience, or medical condition of the applicant or the use of medical care by the applicant.

(2) Notwithstanding subsection (b)(1)(ii) of this section, a carrier may include in a Medicare supplement policy a provision that complies with subsection (d) of this section.

(3) (I) IF AN APPLICATION FOR A MEDICARE SUPPLEMENT POLICY OR CERTIFICATE IS SUBMITTED BY AN INDIVIDUAL WHO IS UNDER THE AGE OF 65 YEARS, BUT IS ELIGIBLE FOR MEDICARE DUE TO A DISABILITY, A CARRIER SHALL MAKE AVAILABLE TO THE APPLICANT BOTH A MEDICARE SUPPLEMENT POLICY PLAN C AND A MEDICARE SUPPLEMENT POLICY PLAN I.

(II) FOR A MEDICARE SUPPLEMENT POLICY PLAN C OR A MEDICARE SUPPLEMENT POLICY PLAN I REQUIRED TO BE MADE AVAILABLE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, A CARRIER:

1. MAY NOT DENY OR CONDITION THE ISSUANCE OR EFFECTIVENESS OF A MEDICARE SUPPLEMENT POLICY PLAN C OR A MEDICARE